THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11328 of 2006

Dated: 9.6.2006

Between

Pedakapu Sreenu

…Petitioner

and

1.The Joint Collector (Civil Supplies),Visakhapatnam

and others.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.11328 of 2006

ORDER:

This writ petiton is filed aggrieved by the show cause notice issued by the 2nd respondent vide Proceedings Rc.No.1497/05/B, dated 14.2.2006 and the enquiry to be conducted in respect of the irregularities committed by the petitioner as a fair price shop dealer.

It seems that the authorization of the petitioner for the fair price shop in Dr.No.3-133 of Pentakota Village was suspended pending enquiry. Aggrieved by the same, the petitioner filed an appeal before the 1st respondent-Joint Collector, Visakhapatnam. The 1st respondent vide proceedings dated 22.11.2005 refused to interfere at that stage, however, directed the 2nd respondent-Revenue Divisional Officer to complete the enquiry within a period of four weeks and pass final orders. Instead of completing the enquiry within four weeks, the 2nd respondent has issued the impugned show cause notice dated 14.2.2006 asking the petitioner to show cause as to why he should not be removed permanently from the fair price shop dealership. From the show cause notice, it does not appear that any enquiry has been conducted by the 2nd respondent after passing of orders by the 1st respondent on 22.11.2005. While conducting any enquiry into the matter, opportunity should be given to the petitioner and then, the show cause notice must follow.

In view of the above, without expressing any opinion on merits, the 2nd respondent is directed to complete the enquiry as directed by the 1st respondent vide proceedings dated 22.11.2005 within a period of six weeks from the date of receipt of a copy of this order. If no enquiry is conducted by that time, the fair price shop dealership of the petitioner shall be restored forthwith.

The writ petition is accordingly disposed of. No costs.

09.06.2006

rkk